

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

MALIBU SHIRTS, INC.,

Plaintiff,

v.

ONLY THE BEST, INC.,

Defendant.

Case No. 2:24-cv-07822-SB-MAA

ORDER TO SHOW CAUSE RE
LACK OF PROSECUTION

Plaintiff filed its complaint against Defendant Only the Best, Inc. on September 12, 2024. On October 1, 2024, Defendant signed a waiver of service, acknowledging that an answer or Rule 12 motion was due within 60 days. *See* Dkt. No. 14. Defendant failed to timely respond, and Plaintiff has not sought entry of default against Defendant. Plaintiff is ORDERED TO SHOW CAUSE, in writing, no later than December 23, 2024, why its claims should not be dismissed for lack of prosecution. No oral argument on this matter will be heard unless otherwise ordered by the Court. *See* Fed. R. Civ. P. 78; Local Rule 7-15.

The Court will consider as an appropriate response to this order to show cause (OSC) the filing, on or before December 23, 2024, of an application for entry of default under Federal Rule of Civil Procedure 55(a). The filing of such an application shall result in the automatic discharge of this OSC without further order. Failure to timely respond to the OSC will be deemed consent to the dismissal without prejudice of Plaintiff's claims.

Date: December 16, 2024



Stanley Blumenfeld, Jr.
United States District Judge